



AGENDA COMMON COUNCIL

Tuesday, August 7, 2012

To immediately follow the 6:30 p.m. Committee of the Whole meeting
Common Council Chambers, 224 East Jefferson Street

Mayor Robert Miller
Robert Prailes, Alderman, 1st District
Edward Johnson, Alderman, 1st District
Peter Hintz, Alderman, 2nd District
Ruth Dawidziak, Alderman, 2nd District
Tom Vos, Council President and Alderman, 3rd District
Steve Rauch, Alderman, 3rd District
Katie Simenson, Alderman, 4th District
Tom Preusker, Alderman, 4th District

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Citizen Comments.
4. Chamber of Commerce Representative.
5. Approval of the Common Council minutes for July 17, 2012. (*P. Hintz*)
6. Letters and Communications: (*R. Dawidziak*)
 - A. A memorandum from Alderman Steve Rauch regarding his absence from the August 7 meetings.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-8: (*T. Vos*)
 - Report 1 – Burlington Housing Authority minutes, May 17, 2012
 - Report 2 – Burlington Housing Authority annual meeting minutes, May 17, 2012
 - Report 3 - Park Board minutes, June 21, 2012
 - Report 4 – Burlington Housing Authority minutes, June 21, 2012
 - Report 5 – Library Board minutes, June 26, 2012
 - Report 6 - Airport Committee minutes, June 28, 2012
 - Report 7 – Historic Preservation Commission minutes, June 28, 2012
 - Report 8 – Committee of the Whole minutes, July 17, 2012
9. Payment of Vouchers. (*K. Simenson*)
10. Licenses and Permits. (*T. Preusker*)
11. Appointments and Nominations: (*R. Prailes*)
 - A. To appoint two additional election inspectors for 2012.

12. **PUBLIC HEARINGS:**

- A. A Public Hearing to hear public comment regarding an amendment to the Municipal Code to add Sections 315-26D(37) and 315-27D(31) allowing for outside seating for establishments serving food or beverage for consumption outside the structure in the B-1 and B-2 Districts. *(E. Johnson)*

13. **RESOLUTIONS:**

- A. Resolution 4567(18) to approve the award of bid for the replacement of the Library roof to Carlson Racine Roofing for the not-to-exceed amount of \$53,000. This item was discussed at the July 17, 2012 Committee of the Whole meeting. *(P. Hintz)*
- B. Resolution 4568(19) to approve Change Order Number One with R.R. Walton for the 2012 City Improvement Project in the amount of \$9,083.27. This item was discussed at the July 17, 2012 Committee of the Whole meeting. *(R. Dawidziak)*
- C. Resolution 4569(20) to approve a revision to the City of Burlington Fire Department Bylaws. This item was discussed at the July 17, 2012 Committee of the Whole meeting. *(T. Vos)*
- D. Resolution 4570(21) to approve a revised Comprehensive Sign Plan for BMO Harris Bank located at 1000 Milwaukee Avenue. This item was discussed at the July 17, 2012 Committee of the Whole meeting. *(K. Simenson)*

14. **ORDINANCES:**

- A. Ordinance 1954(8) to amend Section 315-26D in the B-1 District and Section 315-27D in the B-2 District to allow for outdoor seating with consumption of food and beverages. This item was discussed at the July 17, 2012 Committee of the Whole meeting. *(T. Preusker)*

15. **MOTIONS:**

- A. Motion 12-748 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 532 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. *(R. Prailes)*

18. **ADJOURNMENT** *(E. Johnson)*

Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 5	Date: August 7, 2012
Submitted By: Beverly R. Gill, City Clerk	Subject: Meeting Minutes

Details:

Attached please find the minutes from July 17, 2012 Common Council meeting. Staff recommends approval of these minutes.

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Common Council approve these minutes at the August 7, 2012 Common Council meeting.



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**City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
July 17, 2012**

1. CALL TO ORDER - ROLL CALL

Mayor Bob Miller called the meeting to order at 7:05 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Tom Vos, Steve Rauch, Katie Simenson
Excused: Tom Preusker

Also present: City Attorney John Bjelajac, City Administrator Kevin Lahner, Police Chief Peter Nimmer, Library Director Gayle Falk, Fire Chief Dick Lodle, Assistant to the Administrator Megan Watkins, Treasurer Steve DeQuaker, Streets and Parks Supervisor Dan Jensen, Tom Foht of Kapur Engineering

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Miller led the council, staff and audience in the Pledge of Allegiance

3. CITIZEN COMMENTS

None

4. CHAMBER OF COMMERCE REPRESENTATIVE

No report

5. APPROVAL OF COUNCIL MINUTES FOR JULY 3, 2012

A motion was made by Rauch with a second by Vos to approve the minutes from July 3, 2012. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

None

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Jensen reported the Department of Public Works was working on crack filling and cleaning of the dam.

Johnson questioned the construction schedule for the street work. Jensen replied there is a pre-construction meeting tomorrow and after the meeting, the public will be advised as to the schedule.

Simenson emphasized the need to complete Milwaukee Avenue as quickly as possible because of the importance of that street.

Vos asked if the bid process for street work could request completion deadlines based on the engineering estimates. Foht replied that substantial completion deadlines could be included in the bids.

8. REPORTS 1-2

A motion was made by Prailes with a second by Hintz to approve Reports 1-2. With all in favor, the motion carried.

9. PAYMENT OF VOUCHERS

A motion was made by Johnson with a second by Hintz to approve vouchers, pre-paids and reimbursements in the amount of \$330,347.99 Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Rauch, Simenson Nay: None Motion carried 7-0

10. LICENSES AND PERMITS

A motion was made by Hintz with a second by Johnson to approve licenses as presented. With all in favor, the motion carried.

11. APPOINTMENTS AND NOMINATIONS-None

12. PUBLIC HEARING-None

13. RESOLUTIONS

A. RESOLUTION 4565(16) "A RESOLUTION TO APPROVE CHANGE ORDER NUMBER THREE WITH SCHERRER CONSTRUCTION FOR THE 2010 RADIUM REMOVAL PROJECT IN THE AMOUNT OF \$29,903.78"

A request for a second reading and a motion to approve was made by Dawidziak with a second by Vos. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Rauch, Simenson Nay: None Motion carried 7-0

B. RESOLUTION 4566(17) "A RESOLUTION TO APPROVE CHANGE ORDER NUMBER FOUR WITH SCHERRER CONSTRUCTION FOR THE 2010 RADIUM REMOVAL PROJECT IN THE AMOUNT OF \$22,026.29"

A request for a second reading and a motion to approve was made by Vos with a second by Simenson. Discussion: Vos questioned the following: if this was the end of the change orders, are both wells up and running and where is the final pay out. Lahner said both are running and he wasn't sure of the other issues. Foht replied that they are still waiting on the DNR improvements to be completed and there will be another bill. Rauch was concerned with the completion of the landscaping. Foht replied that it is the contractor's responsibility until it is established. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Rauch, Simenson Nay: None Motion carried 7-0

14. ORDINANCES-None

15. MOTIONS-None

16. ADJOURN INTO CLOSED SESSION PER WIS. STATS. 19.85(1)(C) "TO CONSIDER EMPLOYMENT, PROMOTION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY"

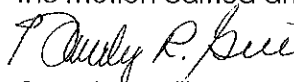
A motion was made by Rauch with a second by Simenson to adjourn into closed session at 7:19 p.m. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Rauch, Simenson Nay: None Motion carried 7-0

17. RECONVENE INTO OPEN SESSION

A motion was made by Prailes with a second by Johnson to reconvene into open session. With all in favor, the motion carried. There were no decisions from closed session

18. ADJOURNMENT

A motion was made by Rauch with a second by Johnson to adjourn the meeting. With all in favor, the motion carried and the meeting adjourned at 8:20 p.m.



Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth Counties



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

Common Council Agenda Item Number: 6A

Date: August 7, 2012

Submitted By: Alderman Steve Rauch

Subject: Communications

Details:

Communication A – Alderman Steve Rauch will be unable to attend the August 7, 2012 Committee of the Whole and Common Council meetings.

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept this communication at the August 7, 2012 Common Council meeting.

Megan Watkins

From: Steve Rauch [aldermanrauch@gmail.com]

Sent: Monday, July 30, 2012 7:16 AM

To: Miller, Robert

Cc: Lahner Kevin; Megan Watkins

Subject: Council Meeting August 7

Mayor,

I will not be able to attend the August 7 Council Meeting.

Sincerely,

Steve

Steven Rauch
Alderman 3rd District
City of Burlington

aldermanrauch@gmail.com

262.767.1910

<http://www.burlington-wi.gov/>



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Common Council Agenda Item Number: 7A

Date: August 7, 2012

Submitted By: City Clerk

Subject: Election Inspector Appointments

Details:

Election Inspector Appointments

Linda Johnson

Scott Johnson

Options & Alternatives:

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these appointments at the August 7, 2012 Common Council meeting.



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Common Council Agenda Item Number: 8	Date: August 7, 2012
Submitted By: City Staff	Subject: Reports 1-8

Details:

Attached please find the following reports:

- Report 1 – Burlington Housing Authority minutes, May 17, 2012
- Report 2 – Burlington Housing Authority annual meeting minutes, May 17, 2012
- Report 3 - Park Board minutes, June 21, 2012
- Report 4 – Burlington Housing Authority minutes, June 21, 2012
- Report 5 – Library Board minutes, June 26, 2012
- Report 6 - Airport Committee minutes, June 28, 2012
- Report 7 – Historic Preservation Commission minutes, June 28, 2012
- Report 8 – Committee of the Whole minutes, July 17, 2012

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the August 7, 2012 Common Council meeting.

**City of Burlington Housing Authority
Riverview Manor**

May 17, 2012

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, May 17th, 2012, 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stublely, Secretary Heck, Commissioner Iselin, and Resident Manager, Dorothy Henning. Commissioner Stoehr was excused.

Minutes from the April 12th, 2012 meeting were dispersed to board members and a motion was made by Iselin, seconded by Stublely to approve the minutes as read, carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of April 30, 2012
(See attached statement balance sheet)

OCCUPANCY REPORT:

Manager Henning reported 13 on the waiting list for 1 bedroom units and 3 for 2 bedroom units.

BUILDING AND MAINTENANCE:

The new chairs purchased are scheduled to arrive the week of May 21, 2012. Manager Henning felt the delivery charges were in excess of what was anticipated and the company reduced the amount by \$200.00 making the total cost \$3,821.00.

Board members discussed the need for a portable carpet and upholstery cleaning machine now that upholstered chairs will be utilized by residents and guests in the Community Room. Manager Henning will obtain prices on portable machines.

Manager Henning received a bid of \$900.45 for washing the 667 windows at Riverview from the company that previously washed them in the past. A motion was made by Heck, seconded by Stublely to accept the bid as submitted. Motion carried unanimously.

Board members arrived early to do the annual walk and inspection of the grounds at Riverview Manor and also inspect the exterior doors that are in need of repair or replacement. Koch Kuts will be forwarding a estimate for the landscaping for front and west side of the building as well as the bordering end of Madison Street, clean-up and trimming, removing unwanted weeds and spraying with round-up.

Board members felt that some of the steel entrance doors needed immediate attention. Manager Henning will contact DMK Builders to inspect the doors for repair or replacement.

There was discussion by board members to replace the flooring in the Community Room. Ketter's will be submitting a bid for new plank flooring and a second bid be sought. for this project.

COMMUNICATION

Copies of the monthly operating statements, bills and bank statements were dispersed and reviewed by board members

Manager Henning reported on the S.T.A.R. training seminar that she and Debra Ratkowski attended on April 17th. and 18th. in Madison. She felt that it was a very informational and beneficial seminar.

NEW BUSINESS: .

Discussion of budget items for the 2012-2013 year

Board members discussed the Banking Services Proposal from Chase Bank.

Manager Henning left the meeting and board members went into a closed session at 7:15 P. M. to discuss salaries of the staff per Statute 19.85, Section C. At 7:35, board members came out of the closed session, Manager Henning returned and the regular meeting reconvened. Board members unanimously agreed to increase wages as follows: Keith Tyree hourly wage increase of \$.50, Pat Bayer hourly wage increase of \$. 50, Margaret Schaefer hourly wage increase of \$.25 Debra Ratkowski hourly wage increase of \$.50 and Manager Henning a annual increase of 5%

The annual meeting of the City of Burlington Housing Authority Riverview Manor will be held following this monthly meeting.

UNFINISHED BUSINESS ADJOURNMENT

There being no further business, motion to adjourn was made by Stublely, seconded by Heck and carried unanimously. Meeting adjourned at 7:45 P.M. The next monthly meeting has not been scheduled depending on availability of a quorum of board members.


Ralph Heck, Secretary

**CITY OF BURLINGTON HOUSING AUTHORITY
RIVERVIEW MANOR PROJECT
ANNUAL MEETING**

May 17, 2012

The City of Burlington Housing Authority, Riverview Manor Annual Meeting was held May 17, 2012, at 7:45 P. M. at Riverview Manor.. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stublely, Secretary Heck and Commissioner Iselin and Resident Manager, Dorothy Henning.. Commissioner Stoechr was excused.

ANNUAL ELECTION BY COMMISSIONERS OF OFFICERS FOR 2012-2013

Commissioner Iselin nominated Chairman Lapp for Office of Chairman. There were no other nominations and Chairman Lapp was approved unanimously.

Commissioner Iselin nominated Vice Chairman Stublely to remain as Vice-Chairman. There were no other nominations and Vice Chairman Stublely was approved unanimously.

Vice Chairman Stublely nominated Secretary Heck for the office of Secretary. There were no other nominations and Secretary Heck was approved unanimously to remain as Secretary.

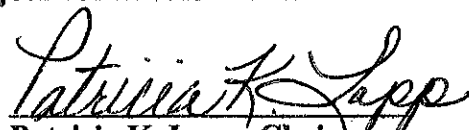
COMMISSIONER TERMS

Patricia Lapp	2015	LeRoy Stoechr	2014
Charles Stublely	2013	Kelly Iselin	2015
Ralph R. Heck	2016		

The Report of the 2011 meeting was dispersed to board members to review and approve. Chairman Lapp has delivered a copy of the Annual Audit for 9/1/10 to 8/31/11 by Patrick W. Romenesko, S.C. CPA , a copy of the approved Actual Budget to 8/31/12 along with the list of C.B.H.A. Officers and terms and copy of insurance coverage to Mayor Robert Miller . Copies of these reports and information were also forwarded to Rural Development.

There being no further business, meeting was adjourned at 8:15 P. M..


Ralph Heck, Secretary


Patricia K. Lapp, Chairman



Department of Public Works
Street & Park and Water Departments
2200 S. Pine Street, Burlington, WI 53105
(262) 539-3770 (262) 539-3773
www.burlington-wi.gov

CITY OF BURLINGTON PARK BOARD MINUTES
THURSDAY, JUNE 21, 2012
2200 S. Pine Street, Burlington, WI 53105

Chairman Darrel Eisenhardt, Commissioners Clay Brandt, Ruth DeLay, Tom Follis, Kelly Kamlager, Peter Turke, Jon Schultz, Alderman Bob Prailes, DPW Supervisor Dan Jensen, P.E., Chase Robers, Student Representative

Chairman Darrel Eisenhardt called the meeting to order at 6:31 P.M.

Roll Call: Present: Commissioners Clay Brandt, Jon Schultz, Alderman Bob Prailes, DPW Supervisor Dan Jensen, Chairman Darrel Eisenhardt and Student Representative Chase Robers.

Excused: Commissioners Ruth Delay and Peter Turke. **Absent:** Commissioner Tom Follis.

Approval of May 17, 2012 Minutes: Chairman Eisenhardt entertained a motion for approval of the May 17, 2012 Minutes. Motion to approve made by Alderman Prailes. Seconded by Commissioner Brandt. All voted aye. Motion carried.

Citizens Comments: None

Aldermanic Report: Alderman Bob Prailes apologized for being absent for the past few months, as he coaches Soccer on the nights of the Park Board meetings.

Alderman Prailes also reported that he did not have Park Fund balances, but would have them for the July Park Board meeting.

Alderman Prailes reported the Kiwanis Club would be pouring a cement pad under the bleachers at the big soccer field at Bushnell Park on Saturday. This will provide additional sturdiness for the bleachers, in addition to increasing the appearance.

DPW Supervisor Report: Dan Jensen, DPW Supervisor reported Echo Park has been completed with the exception of a few punch list items. He also reported that Aaron DeGrave, Park Foreman, would be removing four dead trees from Echo Park next week.

Mr. Jensen also reported that B-Town Sounds was a resounding hit. Many people attended, and the B-Town Sound representatives had everything cleaned up at nights end.

Mr. Jensen reported the Bushnell Soccer field renovation is well under way with the new water cannon getting the new seed through the drought weather.

Mr. Jensen reported on the status of the Rain Garden, which has been planted next to the pavilion at Echo Park. He explained a gutter was installed (pictures were provided) to provide a source of water other than City water from a hydrant.

Mr. Jensen asked the Park Boards' thoughts on what they would like to see regarding repairs to the railings along the Riverwalk. The railings and waves have become rusted and discolored, in addition to the cement cracking and peeling where floorshield had been previously put on and necessary repairs would have to be made soon. Mr. Jensen suggested removing the strips (waves) permanently, by cutting them off. He is currently seeking costs to paint the railings and cement.

The Park Board Members discussed various ways to seek repairs, and keep costs down. Mr. Jensen said he would report back to the Park Board once quotes have been obtained, and prior to making a recommendation to the Council. All were in agreement that the waves should be held onto for a year or two before discarding them.

Chase Robers suggested getting a price on leaving the waves, and having them painted the same color as the railings. Mr. Robers thought by having one color, the cost may be cheaper. Mr. Jensen agreed it was a possible solution, and would also get a price for one color, leaving the waves on.

New Business:

Utility costs for Parks: Dan Jensen, DPW Supervisor presented a report showing all the electrical costs from January through May 2012 for all of the various sports complexes.

The Park Board discussed possibly having the various groups pay their share of the electrical costs, as costs continue to escalate. Mr. Jensen will compile a listing of each area, and the Park Board will discuss it at a later meeting. Alderman Bob Prailes stated he was sure the Kiwanis would be willing to donate to the costs at Bushnell being that they have the majority of electrical usage and use of the soccer fields.

The Park Board Members asked if Mr. Jensen would also get sewer and water charges for each of the Parks. Mr. Jensen replied he would have the charges at the next meeting.

All were in agreement that it would have to be in conjunction with the various sports clubs budget meetings for next year. They also thought it would be great if an account could be set up as a Lighting Maintenance Account to provide a way to save for future lighting replacement and maintenance costs.

Kiwanis' Soccer Season and Field Use/Presented by Bob Prailes: Alderman Bob Prailes asked to have this item put on July Park Board Agenda for discussion at the July meeting.


Old Business:

Lift Chair/Devore Park Pool: Chairman Eisenhardt had heard nothing additional regarding ordering/delivery of the lift chair. Chairman Eisenhardt stated the timeline for having the lifts installed has been extended from the original date of January 2012 to January 31, 2013.

Other Items: Chairman Eisenhardt thanked Student Representative Chase Robers for his service on the Park Board and wished him well in college.

There being no further items for discussion, Chairman Eisenhardt entertained a motion for adjournment. Motion made by Alderman Prailes. Seconded by Commissioner Brandt. All voted aye, and Chairman Eisenhardt adjourned the meeting at 7:42 P.M.

Minutes respectfully submitted by:


Deb Rintamaki
Department of Public Works

**City of Burlington Housing Authority
Riverview Manor**

June 21, 2012

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, June 21st. 2012 , 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stublely, Secretary Heck, Commissioner Iselin, Commissioner Stoehr and Resident Manager, Dorothy Henning.

Minutes from the May 17th. 2012 meeting were unavailable and will be dispersed to board members at the July meeting.

FINANCIAL REPORT:

Reserve Account balances as of May 31, 2012
(See attached statement balance sheet)

OCCUPANCY REPORT:

Manager Henning reported 14 on the waiting list for 1 bedroom units and 3 for 2 bedroom units.

BUILDING AND MAINTENANCE:

A motion was made by Stublely, seconded by Heck and carried unanimously to purchase a portable upholstery and carpet cleaner for furniture and small carpet areas at times. Manager Henning remarked that this would eliminate contacting a professional cleaner for small jobs.

Board members discussed the proposal received from Koch Kuts for landscaping that includes the front and west side of Riverview Manor along with cleaning up, trimming, removing and spraying unwanted weeds bordering Madison Street. The proposal was put on hold until land ownership facing Madison Street can be determined.

The second bid for new plank flooring in the Community Room at Riverview has not been received yet but should be available to discuss at the July meeting.

COMMUNICATION

Copies of the monthly operating statements, bills and bank statements were dispersed and reviewed by board members

Manager Henning was pleased to inform the board that the 2012-2013 budget has been approved

NEW BUSINESS

Resident Salvator Lazzaro was given permission to use his personal grill for tenant outings for the next few months by the picnic table area closest to the river. This will be monitored and reviewed on a monthly basis

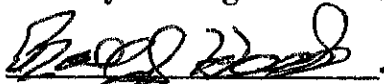
Manager Henning spoke to board members about the possibility of purchasing a new flat screen television for the Community Room. She will contact the cable company for installation costs.

Manager Henning informed the board members of the need for a back-up employee to assist Pat Bayer when required. After discussing the matter, a motion was made by Stublely, seconded by Stoehr to hire Bridget Bolstad at \$9.25 hourly effective immediately.

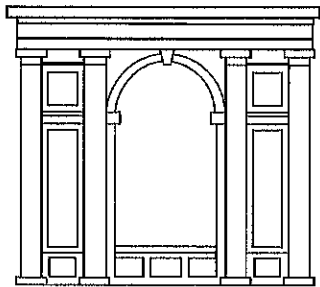
UNFINISHED BUSINESS

ADJOURNMENT

There being no further business, motion to adjourn was made by Stoehr, seconded by Iselin and carried unanimously. Meeting adjourned at 7:45 P.M. The next monthly meeting has been tentatively scheduled for July 19th.



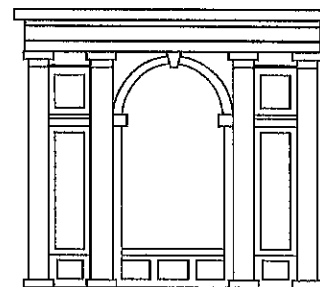
Ralph Heck, Secretary



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
(262) 342-1130 • Fax (262) 763-1938

www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, June 26, 2012 in the Burlington Public Meeting Room. Present were Penny Torhorst, Pat Hoffman, Scott Johnson, Pat Hurley, Mike Kelly, and Steve Rauch. Excused were Dianne Boyle, M.T. Boyle, and Dr. David Moyer. Also present were Library Director Gayle Falk, Administrative Assistant Linda Berndt.

Torhorst called the meeting to order at 4:00.

Minutes of the May 22, 2012 meeting were approved. Hurley moved, and Johnson seconded. Motion passed.

The June General Fund Bills, Prepaids, Reimbursements, May 2012 General Fund Deposits were discussed and approved. Johnson moved approval and Rauch seconded. Motion passed.

Hurley moved and Kelly seconded the motion to approve the June 2012 Trust Fund Bills and the May 2012 Trust Fund Deposits. Motion passed.

Committee Reports: There are no reports at this time. Falk reminded the Board that we will soon be working on the budget.

Federated Library Report: Falk reported that there is nothing new to report. Falk reiterated that Arrowhead Library System may be looking to join another system. There will be more information to report at a later time.

Old Business: There was no old business at this time.

New Business:

Summer Reading Program Update: Falk had Joy Schnupp and Carole Rybarczyk come to the meeting and talk about all the programs that are coming up in our summer programs this summer.

Joy talked about the Summer Reading Program entitled "Dream Big - Read". Among the programs she mentioned were the Kohl's Wild Theatre, The Egyptian Fruit Bat Program, David Stokes and his reptile show, Great Scott the Magician, Mister Billy the Rock & Roller, The BHS Juggling Club and The Bubble Man.

Joy said that it is week 2 and she has 440 signups already.

Lakeshores is having a family night on July 28th, at Yerkes Observatory in Williams Bay. Patrons need to sign up on line or by fax for this event.

Carole talked about the Adult Summer Program entitled "Between the Covers". She has 39 people signed up so far. Her programs include a quilting program, an Altered book program, a Back Yard Bird feeding Basics program, How to Create a Night Garden program and Coupon Clipping 101 program. In September she will also be having a historical gardener from Old World Wisconsin come to the Log Cabin and talk about the historic garden there.

Friends of the Library Report: The Friends still have \$1,000.00 left from their fundraiser for the computer project. They will be paying for the extra bandwidth from Time Warner Cable for the rest of the year for us.

Booksale Plans: The Booksale starts the afternoon of Thursday, July 26th and runs through Saturday, July 28th. The Board meeting is July 17th, which is the week before the Booksale. Setup will be Tuesday and Wednesday before the sale starts.

Library Board makeup and responsibilities: Falk discussed the fact that Wisconsin law seeks to insulate Library Boards from political influence by granting them special powers.

Directors Report:

Monthly Report: Our server failed for several days and it affected our internet numbers some. Tammy was able to rush order a part to fix it. We have a new server on order through Lakeshores.

BPL in the news: There were many items in the weekly newspaper calendars and articles on our upcoming programs.

Public Communication to the Board: There is nothing at this time.

Falk handed out two circulations graphs, comparing May 2011 and May 2012..

Meeting was adjourned at 4:55 p.m. Hurley moved and Kelly seconded. Motion passed.

Our next meeting will be on Tuesday, July 17th at 4:00 p.m. in the Burlington Public Library meeting room.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Rauch". The signature is written in a cursive, flowing style.

Steve Rauch
Aldermanic Representative

CITY OF BURLINGTON
AIRPORT COMMITTEE

Date: June 28 2012

Meeting was called to order at 6:03 PM

Present:

Alderman Tom Preusker
Jerry DeLay
Arlene Runkel
David Uhen
Kevin Remer

Excused:

Gary Meisner
John Hotvedt

Motion was made by Uhen, seconded by Remer, to approve the May 24, 2012 minutes as written. Motion carried.

Open Floor Audience comments: None

Airport Manager's Report: Tree Trimming and maintenance along Mike Taxiway and Airport Drive was put on hold.

Motion was made by Uhen, seconded by Preusker, to pay Arlene Runkel and BAISC for the Fly-In volunteer and new sign expenses. Motion carried.

There being no further business, motion was made by Uhen, seconded by Runkel, to adjourn the meeting. Motion carried.

Meeting was adjourned at 6:30

Next meeting will be July 26, 2012 at 6:00 PM

Respectfully submitted,

Arlene Runkel (ps)

Arlene Runkel
Secretary



Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

**HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
THURSDAY, JUNE 28, 2012**

Call to Order

The meeting was called to order by Chairman Stelling at 5:30 p.m.

Roll Call

Present: Chairman Tom Stelling, Commissioners Jeff Erickson, John Lynch and Ed Johnson were present. Commissioner Joel Weis, Maria Veronico and Judy Stone were excused. Building Inspector/Zoning Administrator Patrick Scherrer was excused. Also present was Stephanie Schulte of Racine County Economic Development Corporation.

Citizen Comments

There were no citizen comments.

Approval of May 31, 2012 Minutes

Chairman Stelling entertained a motion. Commissioner Erickson moved to approve the minutes of the May 31, 2012 meeting and Commissioner Lynch seconded. All aye. Motion carried.

388 N. Pine St. – Trend Setters Salon – Façade Grant Application

Stephanie Schulte was present and stated that the upper parapets will be removed as part of this project. She further stated that two former grants had been given for this property. Commissioner Erickson motioned to approve the façade grant application in the amount of \$6,260.50 contingent on a response team visit to assess the anchoring method for the bricks, the submittal of a sample of the cast stone product to be approved by Patrick Scherrer, Building Inspector and contingent on the recommendations in the Meehan and Co. memorandum dated May 10, 2012 (as follows):

1. The application and various other attached materials submitted to the City by the applicant for the "Certificate of Appropriateness" in compliance with Sections 315-42B. and E. and 315-139 of the City of Burlington Zoning Ordinance.

2. The removal (where needed) of the existing mortar of the street-facing brick masonry elevations of the building and replacement with new mortar colored to match the existing mortar joints (tuck-pointing). Brick and mortar samples (including colors) shall be submitted to the Historic Preservation Commission for review and recommendation for approval prior to the issuance of a Certificate of Appropriateness.
3. New brick and mortar material types, colors, and workmanship are to match the historic mortar and brick (including the historic placement and tuck-pointing style) of the storefront. Masonry restoration and repair is not to include any type of cleaning or application of surface treatment such as paint or stain to the masonry or mortar.
4. During the repair process, that the concrete public sidewalks shall be covered and protected from the mortar.
5. The contractor will also fully inspect the remaining brick veneer for further damage and repair if necessary.
6. Since specifics regarding the proposed method of accomplishing the tuck-pointing are lacking in the applicant's submitted application, the proposed method of accomplishing the tuck-pointing will need to be explained in detail by the applicant to the Historic Preservation Commission, and recorded in detail in the minutes of the meeting of the Historic Preservation Commission. The requirements of Section 315-42B. and E. of the City of Burlington Zoning Ordinance Zoning shall be met by the applicant for any and all tuck-pointing work performed at the subject property.

Commissioner Lynch seconds the motion. A roll call vote was taken: Lynch: Aye; Erickson: Aye; Johnson: Aye; Stelling: Aye; Stone: Excused; Veronico: Excused; Weis: absent. Motion carried.

Discussion of Current Projects and Response Team Visits

Chairman Stelling stated that he spoke with Jim Wallace of Neighborhood Optometry at 124 W. Chestnut St. regarding proposed façade alterations. He directed Mr. Wallace to come before the Commission for a certificate of appropriateness.

Review of Grant Funding Status

Stephanie Schulte of Racine County Economic Development Corporation stated that there is \$797 left in funding. Commissioner Stelling stated that the Commission needs to

prioritize and get people listed for funds when they become available. He further stated that the Historic District may be expanding its area.

Discussion Concerning Potential/Future Projects and Notices of Violations in the Historic Preservation Overlay District

Commissioner Erickson inquired as to whether the Commission can call back monies for projects that have been given grants but have not started any work. He asked about 256 E. Chestnut St. and the pending project. The Commission agreed to hold this open until August and then let the owners (the Sullivan's) know that the Commission needs to know their intentions or the grant monies will be reverted back to the Commission.

Chairman Stelling stated that the Intensive Survey Presentation will begin at 6:30 p.m.

Adjournment

Commissioner Erickson motioned to adjourn the meeting until the 6:30 p.m. presentation. Commissioner Johnson seconded the motion. All aye. Motion carried. The meeting adjourned at 5:50 p.m.

Architectural and Historical Intensive Survey Presentation

Chairman Stelling called the meeting back to order at 6:30 p.m. Commissioners Joel Weis, Ed Johnson and John Lynch were present at this time and Commissioner Jeff Erickson was excused at 6:32 p.m.

Jennifer Lehrke of LJM Architects and Joe DeRose of the State Historical Society were present and gave a presentation as follows:

Joe DeRose of the Wisconsin Historical Society stated that some of the properties in the survey would qualify for the National Register of Historic Places and that Jennifer Lehrke made that determination. They had to meet these qualifications:

1. Has to be 50 years old.
2. Has to have historic integrity.
3. Has to be historically significant (prominent person has lived there)
4. Has to be part of a Historic District.

Mr. DeRose stated that Jennifer identified six potential historic "Districts" and two potential historic "Complexes".

Mr. DeRose further stated that there are promotional purposes for properties that get listed in the National Register such as a federal tax credit of \$10,000 on a project,

whether exterior or structural work, 25% off personal state income tax, federal tax credits for income producing properties and state tax credits for homes.

Mr. DeRose turned the presentation over to Jennifer at this time. She stated that there were three main purposes of the survey which are:

1. Identify resources
2. Identify districts of architectural or historical significance
3. Identify areas for economic redevelopment

She further stated that the survey consisted of several elements which included a reconnaissance survey, architectural and historical research, evaluation of significant resources and preparation of an intensive survey report. She indicated that eligible properties centered around events, persons and type, period or method of construction.

She identified 406 structures as having interest and that 48 qualified. The architectural styles were as follows:

1. Greek Revival
2. Gothic Revival
3. Italianate
4. Romanesque Revival
5. High Victorian Gothic
6. Queen Anne
7. American Craftsman
8. American Foursquare
9. Bungalow
10. Period Revival
11. Colonial Revival
12. Dutch Colonial Revival
13. Tudor Revival
14. Mediterranean Revival
15. Spanish Colonial Revival
16. Art Deco
17. International Style
18. Ranch
19. Lustron
20. Contemporary

The districts were identified as:

1. Kane Street district – 158 buildings, 137 contributing and 12 non-contributing
2. Randolph Street District
3. Burlington Community Pool Complex – Honorary designation - Joe stated that there are funding sources for city-owned properties
4. God Acres Cemetery Complex
5. Rainbow Motel Historic Complex
6. St. Charles Borromeo Catholic Church Complex
7. St. Francis Friary Complex
8. St. Mary's Catholic Church and School Historic Complex

Jennifer advised the Commission with the following recommendations:

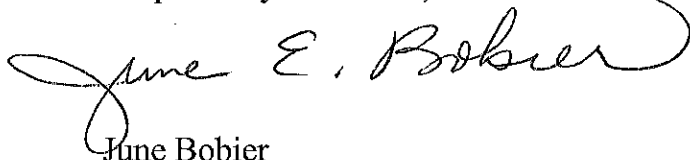
1. Continue to hold HPC meetings
2. Maintain CLG status
3. Apply for CLG grants
4. Identify and landmark local historic resources based on Intensive Survey results
5. Pursue National Registeral Nominations
6. Stay Abreast of Threats to Resources
7. Public Education

Chairman Stelling inquired as to how to get this information out to the public. Jennifer stated that copies of the survey will be available at City Hall, the Burlington Public Library and the Historical Society.

Adjournment

Chairman Stelling entertained a motion to adjourn. Commissioner Weis motioned to adjourn and Commissioner Lynch seconded. All aye. Motion carried. The meeting adjourned at 7:42 p.m.

Respectfully submitted,



June Bobier
Administrative Assistant
City of Burlington



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Item Number: 12A	Date: August 7, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: A Public Hearing for Ordinance 1954(8) to amend Section 315-26D in the B-1 District and Section 315-27D in the B-2 District to allow for outdoor seating with consumption of food and beverages

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding an ordinance to create a section under the B-1, Neighborhood Business District and the B-2, Central Business District chapters with specific guidelines and regulations pertaining to outdoor seating areas. Both are listed under the Conditional Use section for each district which will require Plan Commission approval.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item was a Public Hearing at the August 7, 2012 Common Council meeting.

STATE OF WISCONSIN
COUNTY OF RACINE
The Common Council in and for the City of Burlington

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE CODE OF THE CITY OF BURLINGTON**

To Whom It May Concern:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Chapter 315 of the Municipal Code of the City of Burlington, Racine County, Wisconsin, Zoning, **SECTION 315-26D, "Conditional Uses" in the B-1, Neighborhood Business District and SECTION 315-27D, "Conditional Uses" in the B-2, Central Business District** as follows:

- To add Sections 315-26D(37) and 315-27D(31) to allow for outside seating for establishments serving food or beverage for consumption outside the structure in the B-1 and B-2 Districts.

Such amendment is needed in order to address the City of Burlington's need to provide expanded commercial opportunities in the City.

THIS ORDINANCE MAY HAVE THE EFFECT OF CHANGING THE ALLOWABLE USE OF THE PROPERTIES IN ALL ZONING DISTRICTS. A MAP OF THE ZONING DISTRICTS IS ON FILE AND AVAILABLE FOR VIEWING CITY HALL.

Chapter 315 of the Municipal Code of the City of Burlington shall be amended as necessary to reflect these changes, with the remainder of Chapter 315 remaining without change and in full force and effect. A copy of this ordinance is on file and available for viewing at City Hall.

NOTICE IS FURTHER GIVEN that a Public Hearing on the above matter will be held by the Common Council in the Council Chambers at the Police Department, 224 East Jefferson St., City of Burlington on:

TUESDAY, AUGUST 7, 2012 DURING THE MEETING OF THE COMMON COUNCIL SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

to hear any persons objecting to, or in support thereof, on the above mentioned matter.

Dated at Burlington, Wisconsin, this 17th day of July, 2012.

Beverly Gill, City Clerk

*Published in the **Burlington Standard Press**
July 19 & 26, 2012*



CITY OF BURLINGTON

Burlington Public Library

166 E. Jefferson Street, Burlington, WI, 53105

(262) 342-1130 – (262) 763-1938 fax

www.burlington-wi.gov

Common Council Item Number: 13A

Date: August 7, 2012

Submitted By: Brian Wood, Facility Maintenance Manager

Subject: Resolution 4567(18) to consider authorizing the contract for the Library reroof project with Carlson Racine Roofing for \$53,000.

Details:

The Library roof has been showing signs of deterioration from age with holes and cracks around the drains and flashing. Several leaks into the building have occurred with recent rainfall.

Specifications were submitted to contractors to obtain a contract price for the reroofing. Three proposals were received from Carlson Racine Roofing of Racine, Schranz Roofing, Inc. of Milwaukee and SRS Roofing of Waterford. Carlson Racine Roofing submitted the lowest bid of \$48,000 with an additional bid of \$3,000 for the staircase roof and \$2,000 for roof drain networks if needed. This is a flat roof consisting of stone ballast on a rubber membrane.

Carlson Racine Roofing recently completed the Fire Station roof as well.

Options & Alternatives:

The council could choose to deny the project at this time. Further leakage will cause damage to the interior and contents.

Financial Remarks:

This item was included in the approved 2012 budget at \$59,000. The contract price including any extra repairs that may be needed is \$6,000 under budget.

Executive Action:

This item was discussed at the July 17, 2012 Committee of the Whole meeting and is scheduled for the August 7, 2012 Common Council meeting for consideration.

Resolution No. 4567(18)
Introduced by: Committee of the Whole

**A RESOLUTION APPROVING THE AWARD OF THE BID TO REPLACE THE ROOF
ON THE BURLINGTON PUBLIC LIBRARY AT 166 E. JEFFERSON STREET TO
CARLSON RACINE ROOFING FOR THE NOT-TO-EXCEED AMOUNT OF \$53,000**

WHEREAS, on June 1, 2004 the Common Council did approve Resolution 3812(18) a Resolution Adopting a Purchasing Policy for the City of Burlington; and,

WHEREAS, the Purchasing Policy requires that all construction related contracts exceeding \$15,000 to be reviewed and approved by the Common Council; and,

WHEREAS, the construction shall be let by contract to the lowest responsible bidder pursuant to Wis. Stat. §62.15 and 66.0901; and,

WHEREAS, the City of Burlington did advertise for bids for replacement roofing for the Public Library

WHEREAS, three bids were received, opened and reviewed by the Facilities Manager and City Administrator; and,

WHEREAS, the Facilities Manager, Brian Wood has recommended acceptance of the lowest, most responsive bid from Carlson Racine Roofing & Sheet Metal, Inc. for the not-to-exceed price of \$53,000.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the bid for replacement of the roof at the Burlington Public Library, 166 E. Jefferson Street be awarded to the lowest and most responsive bidder, Carlson Racine Roofing & Sheet Metal, Inc. for the not-to-exceed amount of \$53,000.

Introduced: July 17, 2012
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk

5 Year Capital Improvement Plan

Years: 2012 - 2015

Contact Brian Wood

Department Library

Type

Useful Life

Category

Priority

Total Project Cost 59,000.00

Project # 1
Project Name Roof replacement

Description

New roof for the library: 60 mil EPDM roofing system.

Justification

The existing roofs are ballasted rubber roofs that are showing normal signs of aging and deterioration. The perimeter flashing has lost attachment. Areas around drains have holes and cracks. If repairs are not performed, the flashing may fail. We are currently experiencing leakage in several areas.

Expenditures	FY '12	FY '13	FY '14	FY '15	FY '16	Total
	59,000					59,000
Total	59,000	0	0	0	0	59,000

Funding Sources	FY '12	FY '13	FY '14	FY '15	FY '16	Total
	59,000					59,000
Total	59,000	0	0	0	0	59,000

Operational Impact/Other

Books need to be moved during rain events to prevent water damage. Computers need to be covered with plastic to prevent damage. Patrons are unable to use Internet computers during heavy storms.



**CARLSON
RACINE
ROOFING**

Racine (262) 632-5920
FAX (262) 632-0958

2401 Eaton Lane
Racine, Wisconsin 53404

& SHEET METAL, INC.

July 11th, 2012

Mr. Brian Wood
Facility Maintenance
City of Burlington
166 E Jefferson
Burlington, WI 53105

Re: Update on Burlington Library Roof

Mr. Wood,

Thank you for calling us concerning your roofing needs at the Burlington Public Library located at 166 East Jefferson Street.

We quoted you on this project last year and we are updating our pricing for this year. In detail our updated proposal includes the following:

1. Call WE Energy's to protect or remove power lines going into Wemhuff Park. We need this done to get access to the library roof.
2. Remove the existing stone ballast by means of a power vacuum.
3. Remove and dispose of the existing rubber roofing system, flashings, and all associated sheet metal copings, gravel stop edge and counterflashings in contact with the existing rubber roofing system.
4. Replace any damaged or wet existing roof insulation on a TIME AND MATERIAL BASIS.
5. Install a 60 mil EPDM membrane over the existing insulation.
6. Flash all roof penetrations and perimeters appropriately.
7. Install new 1-1/2" river washed stone ballast over the field of the roof.
8. Fabricate and install new 24 gauge prefinished gravel stop edge, copings and counter flashings around all perimeters.

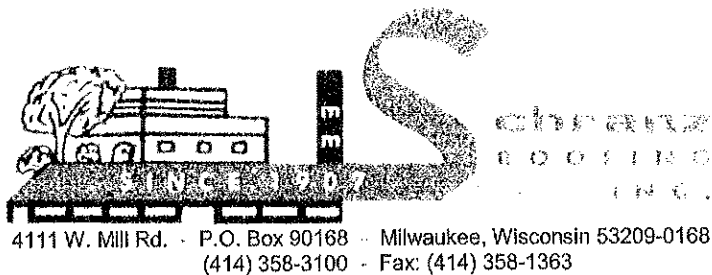
Our revised proposal to install the above-specified roofing and sheet metal system is for a sum of **\$48,000.00 (FOURTY EIGHT THOUSAND DOLLARS)** base price. Note please add to base price an allowance of **\$3,000.00** to reroof the staircase to the basement roof area located at ground level. Please add **\$2,000.00** allowance, if required, for any roof drain rework due to some deterioration noted at the current drain assemblies.

Brian, if you have any questions do not hesitate to call me.

Sincerely,

Greg C. Petersen

Carlson Racine Roofing & Sheet Metal Inc.



March 21, 2012

City of Burlington
224 E. Jefferson
Burlington, WI
Attn: Brian Wood

RE: Burlington Library
Roofing & Sheet Metal Proposal

Dear Mr. Wood,

Per your request, I would like to provide the following proposal for your consideration for the roofing & sheet metal replacement at the Burlington Library

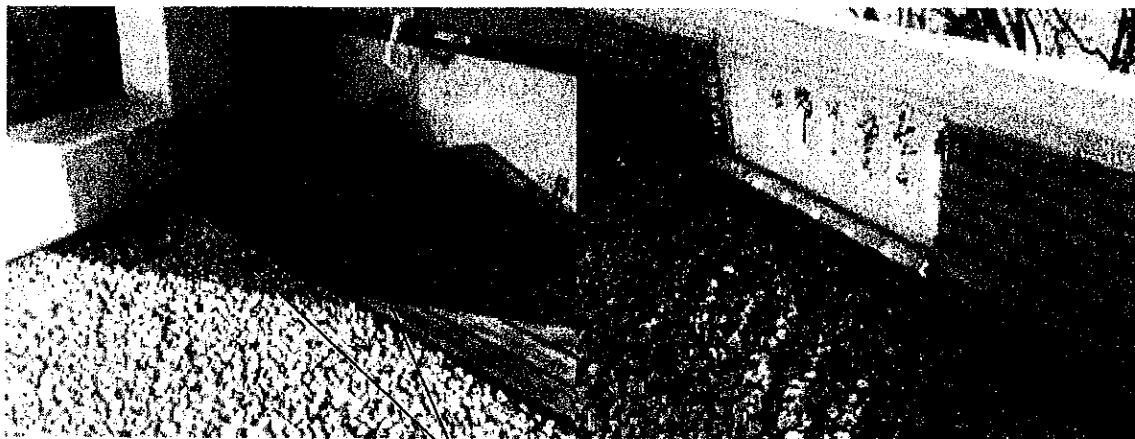
Library (8,700 square feet)

I would recommend the following work be completed to replace this roof system:

1. Remove and dispose of existing perimeter sheet metal flashing and coping. We intend on reusing white sheet metal fascia as discussed.
2. Remove and dispose of existing stone ballast and EPDM membrane to expose the existing roof insulation.
3. Replace any wet insulation at a rate of \$2.50 per square foot.
4. Install tapered insulation saddle behind roof drain to eliminate current ponding water issues.
5. Furnish and install a 60 mil EPDM ballasted roof system to include EPDM flashings at all existing penetrations and vertical surfaces per the manufacturer's recommendations.
6. Insulate existing large roof curb and extend membrane over the curb and terminate with sheet metal counter-flashing.
7. Furnish and install walkway pads at the roof access door as required per the manufacturer's recommendations.
8. Furnish and install new 24 gauge prefinished sheet metal coping at the roof perimeter to include new perimeter counterflashing at all high to low roof areas as discussed. We also include metal at the base of all exterior railings and windows to properly terminate the roof flashing.
9. If roofing is to be replaced beneath ductwork, we would need you to temporarily disconnect the ductwork to properly complete this work.
10. We include all hoisting as required to complete this work. We intend on setting up on the sidewalk area as indicated below and have included \$500 for grass repair when the job is complete. To gravel the smaller south roof we would like the power to be shut down for ½ day if possible.

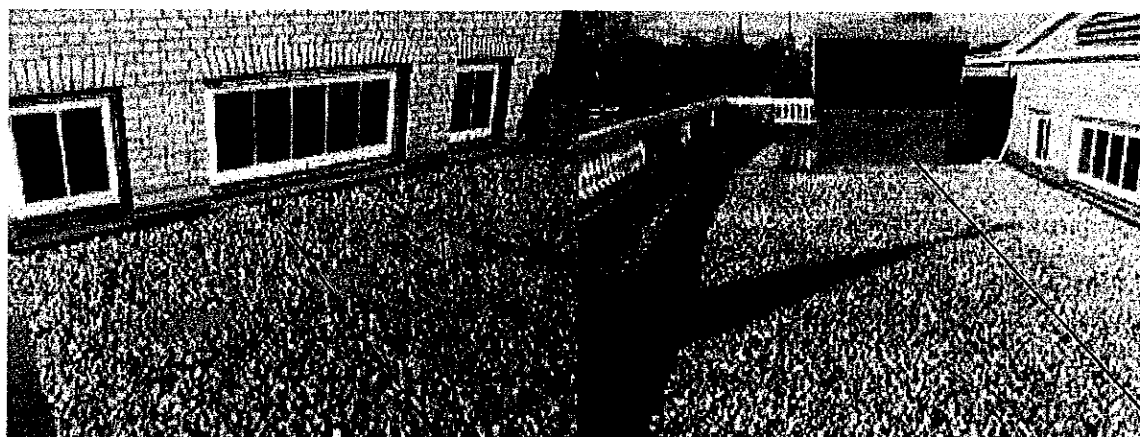
All of the above outlined work can be accomplished for the net sum of \$56,980.00 (Fifty Six Thousand Nine Hundred Eighty Dollars).

I have attached photos for your use.



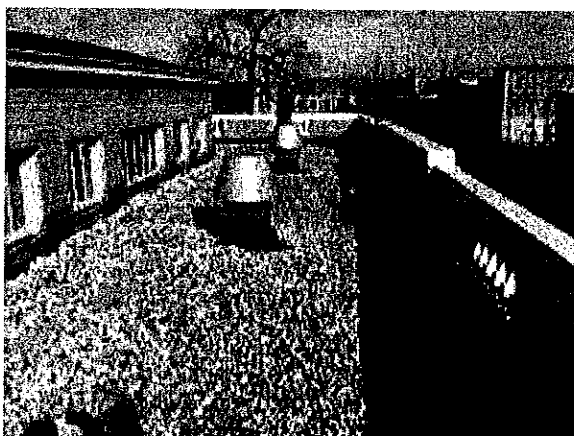
Ductwork to be disconnected by owner

New sheet metal flashing to be installed ✓

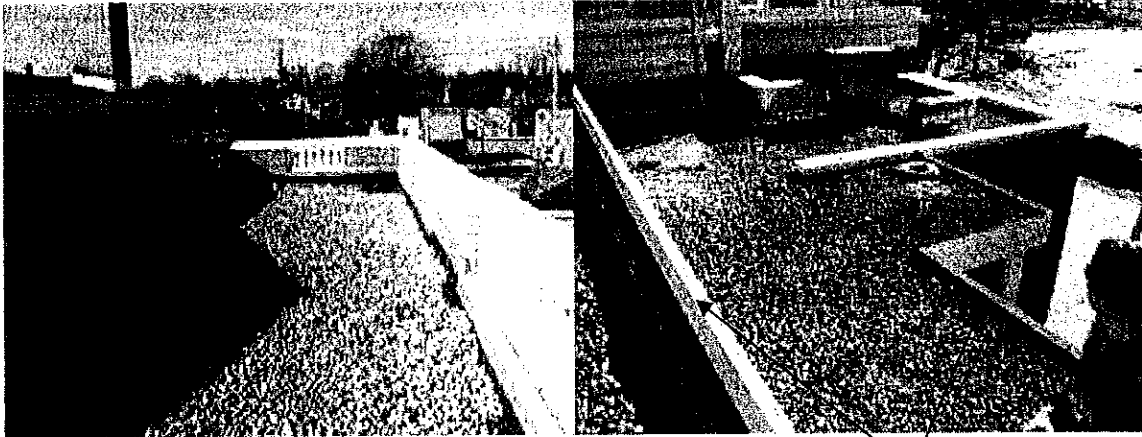


New sheet metal flashing to be installed ✓

Insulate curb, cover with membrane, and counterflash



Ductwork to be disconnected by owner to properly install new membrane or we can leave and tie into the old membrane if required.



Reuse existing metal with this condition



Proposed set up area (not responsible for damage to sidewalk)

Low roof is included in this scope of work

Please call with any questions.

Thank you for the opportunity to offer our services.

If this work is accepted and you would like us to proceed, please sign here:

Mr. Brian Wood

M M Schranz Roofing, Inc.

Robert A. Fedder

Robert A. Fedder
Vice President



SRS Roofing & Sheet Metal, Inc.
Proposal/Contract

City of Burlington Library	
166 Jefferson Street	
Burlington, WI 53105	
Phone: 262-210-3260	Fax:
Attn: Brian Wood	

Job Name/Address	Date: 07 / 10 / 2012
City of Burlington Library	
166 Jefferson Street	
Burlington, WI	
Re: Quote for Reroofing All Lower Flat Roof Areas	

Thank you for the opportunity to present you with this proposal. We propose to furnish and install all materials in accordance with the following specifications:

- Note: WE Energies will need to temporarily disconnect the electrical power lines on the west side of the building for a short period in order to properly carry out the reroofing of the building. Any cost for this disconnect would be the responsibility of the Library.
- All existing stone ballast to be vacuumed off and disposed of properly.
- All existing rubber membrane and flashings to be removed and disposed of properly.
- Existing insulation to be checked and any wet or deteriorated material to be replaced at an extra sq. ft. cost.
- To the existing insulation shall be applied a new ballasted rubber roof system. Membrane being .060 mil in thickness.
- All flashings and details to be done according to manufacturers specifications.
- Termination bars to be applied across the top of the new wall flashings.
- New 2 ft. x 2 ft. concrete pavers to be installed at roof access doorway and around roof top units for servicing.
- Sheet metal work to consist of new prefinished counterflashings, copings and snap on fascias on the main roof perimeter. (Note: Existing outside step flashing / fascia extender is to be reused.
- All scrap and debris to be removed from premises.
- A two year workmanship warranty to be provided by SRS Roofing & Sheet Metal.
- A 15 year warranty to be provided by the manufacturer.

Total cost for the new roof system roof system shall be\$57,900.00

Note: Any wet or damaged insulation in need of replacement shall be done at an extra cost of \$2.00 per sq. ft.

Note: Any extra work needed shall be done at an extra Time & Material rate of \$85.00 per man hr.

The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined herein. This proposal agreement is subject to the terms, conditions and instructions appearing on the face hereof and on page 2 (two). This proposal may be withdrawn by us if not accepted within 30 days.

Company's

Authorized

Signature: _____

Tom Bechtel

Customer's

Signature: _____

Print Name: Tom Bechtel Title: Estimator

Print Name: _____ Title: _____

Date: 07 / 10 / 2012

Date: _____

P.O. Box 249, Waterford, WI 53185

Phone (262) 514-3103

Fax (262) 514-3105

TERMS AND CONDITIONS (Sheet Metal, Roofing, Installation and Service)

WEATHER. Unless otherwise stated, this proposal was created with the intention of performing the stated work in good weather. Any rain days, snow removal or delcing will result in an increase cost and/or an extension of the time required to complete the work. Company shall not be responsible for damage or delay due to strikes, fires, accidents, acts of God, acts of terrorism or war or other causes beyond it's reasonable control.

TERMS OF PAYMENT. Unless otherwise specified in this proposal, payment terms shall be as follows: One-third (1/3) of the amount of this contract is due and payable with order. The second one-third of the amount of this contract is due and payable when the project is 50% complete. The final one-third of the amount of this contract is due and payable upon completion. Interest shall start to accrue 30 days from the invoice date on any unpaid balance at 1 1/2 % per month (18% per annum) or at the maximum legal rate permitted by law. If legal proceedings are required to collect an unpaid balance, all costs including actual attorney fees shall be added to the unpaid balance. Non-payment in accordance with these terms shall be considered material and cause for termination of performance by Company. No guarantee or warranty provided by Company shall be valid until full and final payment is received. Collection of unpaid balances may be sought in any Court having jurisdiction thereof. Any legal claim against Company must be brought no later than (1) one year after Company has completed work.

INTENT TO LIEN. "As required by the Wisconsin Construction Lien Law, contractor/subcontractor hereby notifies owner that persons or companies furnishing labor or materials for the construction on the owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to the undersigned contractor/subcontractor, are those who contract directly with the owner or those who give the owner notice within 60 days after they first furnished labor or materials for the construction, and should give a copy of each notice received to his lender, if any. Contractor/subcontractor agrees to cooperate with the owner and his lender, if any, to see that all potential lien claimants are duly paid."

ADDITIONAL CHARGES. Shall be an addition to the contract price and charged on a time and material basis including overhead expenses and a 10% margin for profit: addition or deviation from the specifications herein described; damage to our work by others; temporary protection of the building not originally included in this work order; premature notice to start work causing unnecessary trips; trips back to the job to repair openings created after work is complete; and any labor required to be done outside of normal business hours.

EXCLUSIONS. The following items are not included in this contract unless otherwise specifically stated in writing: repairs to the roof deck, installation of wood or cant strips, furnishing or installation of sheet metal or roof drains, repairs or alteration to the building other than the roof, identification, abatement and/or removal of asbestos containing or toxic material, or work preparatory or incidental to these items. No interior protection or clean up included. Company shall not be responsible for any damage: (a) due to nails or screws penetrating the roof deck; (b) incurred to anything secured or attached to the roof deck; or (c) due to joists or any other roofing structure member which becomes loose, unsecured or falls as a result of the roofing operations of Company. Company shall not be responsible for any claims, damages or expenses arising from the presence or disturbance of asbestos containing, or toxic materials, or arising out of or in any way related to biological growth, including, but not limited to, all types of mold, or any other type of contamination of the Owner's building

CUSTOMER'S RESPONSIBILITY. The Customer is solely responsible for structural suitability of the building in light of specifications of the roofing system to be applied pursuant to this work order, including, but not limited to, load bearing capacity, dew point and vapor transmission calculations. Further, the Customer shall be solely responsible for any damages to any furniture, furnishing, fixtures or contents of the building during the performance of the work, except such damages as may be caused by the sole negligence of Company. Customer is aware that roofing products emit fumes, vapors and odors during the application process. Customer shall be responsible for interior air quality, including controlling mechanical equipment, HVAC units, intake vents, wall vents, windows, doors and other openings to prevent fumes and odors from entering the building and shall hold Company harmless from claims relating to fumes and odors emitted during the normal roofing process.

PERMITS. Customer shall secure and pay for necessary approvals, permits, easements, assessments and charges required for construction, use or occupancy of permanent structures or permanent changes in existing facilities.

GUARANTEE AND WARRANTY. The type of guarantee and extent of coverage shall be as indicated in accordance with written guarantees, if any, offered by manufacturers of materials incorporated into the project. In addition to the manufacturer's guarantees, if so noted in the proposal, and upon receipt of final payment, Company shall guarantee workmanship furnished as part of this work order against defects in such workmanship for a period of two (2) years from the completion of work. ("Warranty") The value of this warranty shall not exceed the work order price. In all cases Company's liability is limited to repairs or roofing and waterproofing work performed by Company, EXPRESSLY EXCLUDING CONSEQUENTIAL DAMAGES. THERE ARE NO OTHER GUARANTEES OR WARRANTIES EXPRESS OR IMPLIED.

PONDING WATER. Company is not responsible for location of roof drains, adequacy of drainage or ponding on the roof. It is understood by Customer that a Ponding Water condition is not indicative of defective workmanship under this agreement. Positive Drainage is a design goal and is not always achievable. Company will not be held responsible for a Ponding Water condition that results from a roof structure that is not designed to achieve Positive Drainage as defined by the National Roofing Contractors Association (NRCA). Ponding Water is defined as a roof surface that is incompletely drained. Positive Drainage is a drainage condition with additional roof slope provided to ensure drainage of a roof area with 48 hours after a rainfall.

SHEET METAL INSTALLATIONS. Oil canning of sheet metal products manufactured or installed can not always be avoided and as such is not an indication of faulty installation and is not a cause for rejection.

INSURANCE. SRS Roofing and Sheet Metal, Inc., as required by law, carries workers' compensation and general commercial liability insurance. Customer agrees to look solely to Company's appropriate insurance carrier for any and all damages resulting from personal injury or property damage claims including those caused, in whole or in part, by Company. Customer expressly waives all claims excluded under Company's insurance policies. The Customer agrees to provide sufficient insurance to protect Company against loss of materials installed or on the premises due to fire, windstorm, hail or floods. Customer provided property insurance shall be on an all-risk policy form and shall insure against the perils of fire and extended coverage and physical loss or damage including, theft, vandalism, malicious mischief, collapse, false work, temporary buildings and debris removal including demolition occasioned by enforcement of any applicable legal requirements. If the property insurance requires minimum deductibles the Customer shall be responsible for payment of the additional costs not covered because of such increased or voluntary deductibles. The insurance shall waive rights of subrogation, if any against Company. The Customer shall purchase and maintain such insurance as will insure the Customer against loss of use of the Customer's property due to fire or other hazards, however caused. If Customer is not the owner of the property then Customer may satisfy its responsibilities hereunder by having the Owner provide the coverage in compliance with this paragraph

ACCESS. Company shall be permitted to use driveways, and paved areas leading, or adjacent to, the job site for its equipment without liability to Company occasioned by the negligence of others or by its equipment.

STRUCTURAL SUITABILITY. Company assumes full responsibility for furnishing roofing materials and for their proper installation in accordance with manufacturer's specifications. Company does not, either itself or through its representatives, practice architecture or engineering and offers no opinion on, and expressly disclaims any responsibility for, structural integrity, compliance with building codes or design. Opinions of competent structural engineers should be obtained by the Customer as to the structural soundness of the roof deck and its ability to properly support normal roof construction equipment and operations and the completed roof system. Company accepts no liability for any failure of the roof deck, its ability to support the contemplated roof installation, or resultant damages.

MISCELLANEOUS. These Terms and Conditions together with the cover page providing the Scope of Work, etc. and any attachments constitute the entire agreement (Agreement) of the parties. Modifications to this Agreement can be made only in writing signed by Company. Customer permitting performance of work indicates acceptance without exception of this Agreement, even if this Agreement is not executed. This Agreement is solely for the benefit of Customer and Company, and is not intended for the benefit of any other parties.

ASSIGNABILITY. Notwithstanding the foregoing, SRS Roofing, Inc., shall have the right to assign, transfer or delegate this Agreement without the other party's consent to an affiliate or any third party that is a successor-in-interest to all or substantially all of such party's business, contracts or assets, provided that such affiliate or successor-in-interest agrees to be bound by all of the terms and conditions of this Agreement.

BUYERS RIGHT TO CANCEL. This contract agreement can be canceled in writing prior to any costs of material or labor, being incurred by SRS Roofing and Sheet Metal, Inc., on your project, for a cancellation fee of 10% of the agreed contract price.

If you find this proposal acceptable, please sign and return one copy with your down payment and keep one copy for your records.



CITY OF BURLINGTON

Department of Public Works
Streets, Parks and Water Department
2200 S. Pine St., Burlington, WI, 53105
(262) 539-3770 – (262) 539-3773 fax
www.burlington-wi.gov

Common Council Item Number: 13B	Date: August 7, 2012
Submitted By: Dan Jensen, DPW Supervisor	Subject: Resolution 4568(19) to approve Change Order #1 to the 2012 City Improvement Project to the R. R. Walton & Company, LTD.

Details:

Attached is a copy of Contract Change Order #1 to the 2012 City Improvement Project. The contract was awarded to the R. R. Walton & Company, LTD. for the bid amount of \$106,504.75.

This change order reflects an increase in cost to a portion of the Echo Park Bike Path, where concrete pavement was needed instead of asphalt, and where geotextile fabric was required due to undercutting and soft subgrade. In addition, the project has been completed and all actual quantities have been determined. The cost created by difference between estimated and actual quantities, and this additional concrete work, is presented in the attached Change Order. The net result of this Change Order increases the contract by \$9,083.29 bringing the contract total to \$115,588.02.

Staff recommends approval of Change Order No. 1.

Options & Alternatives: If the change order is not approved, the contract cannot be closed out.

Financial Remarks:

Funding will be split between the General Fund and Park Development Funds.

Executive Action:

This item was discussed at the July 17, 2012 Committee of the Whole meeting and is scheduled for the August 7, 2012 Common Council meeting for consideration.

Resolution No. 4569(19)
Introduced by: Committee of the Whole

**A RESOLUTION APPROVING CONTRACT CHANGE ORDER NUMBER ONE WITH
R.R. WALTON & COMPANY, LTD. FOR THE 2012 CITY IMPROVEMENT PROJECT IN
THE AMOUNT OF \$9,083.27**

WHEREAS, Resolution 4542(67) approved the award of the bid to the R. R. Walton & Company, LTD. for the 2012 City Improvement Project for the not to exceed total base bid of \$106,504.75; and,

WHEREAS, the City of Burlington entered into a contract with R. R. Walton & Company, LTD. for said improvements on April 4, 2012; and,

WHEREAS, during the course of work it was determined that a change was necessary and additional concrete work was required for the Echo Park Bike Path, along with geotextile fabric that was required due to undercutting and soft subgrade; and

WHEREAS, final quantities were calculated after work was completed revealing an increase in the contract, which has resulted in a Change Order No. One in the amount of \$9,083.27, a copy of which is attached hereto as "Exhibit A" and made a part hereof; and,

WHEREAS, said Change Order One in the amount of \$9,083.27 has been recommended for approval by the City Engineer; and,

WHEREAS, the new contract price including Change Order Number One is for the not-to-exceed amount of \$115,588.02.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that Change Order One is hereby approved in the amount of \$9,083.27.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized and directed to execute Change Order No. One on behalf of the City.

Introduced: July 17, 2012
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk

CONTRACT CHANGE ORDER

Change Order: #1 Date: July 9, 2012
Name of Project: 2012 City Improvements Project
OWNER: City of Burlington
CONTRACTOR: RR Walton & Company, Ltd.
ENGINEER: Kapur & Associates, Inc.

The following changes are hereby made to the Contract Documents: **See attached documentation.**

Justification: (See attached)

Change to CONTRACT PRICE- \$ 9,083.27
Original CONTRACT PRICE - \$ 106,504.75
Current CONTRACT PRICE adjusted by previous CHANGE ORDER - \$ 106,504.75
The CONTRACT PRICE due to this CHANGE ORDER will be
(increased) (decreased) by - \$ 9,083.27
The new CONTRACT PRICE including this CHANGE ORDER will be - \$ 115,588.02

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by zero calendar days.
The date for completion of work will be _____ Substantial (Date).
_____ Final (Date)

The CONTRACTOR and OWNER hereby agree that the compensation to the CONTRACTOR effected hereby constitutes full settlement of the claims of the CONTRACTOR under this contract arising out of or incident to the changes effected hereby.

This document will become a supplement to the contract and all provisions will apply hereto.

Recommended by the ENGINEER: _____ Date _____

Name: Michael Timmers
Title: Construction Manager

Accepted by the CONTRACTOR: _____ Date 7-9-12

Name: Russell Walton
Title: Owner

Approved by the OWNER: _____ Date _____

Name: Mayor Bob Miller
Title: Mayor, City of Burlington

2012 CITY IMPROVEMENTS PROJECT

Justification of Price for Contract Change Order #1

I. Echo Park Bike Path, added concrete sidewalk work & geotextile fabric;

Item #CCO-1, Concrete Sidewalk 5-Inch

A. Description: This work shall consist of necessary costs associated with the placement of 5-inch thick concrete sidewalk/bike path, as requested by the Owner. A material change (from asphalt to concrete) was made to this portion of the bike path and matches the existing, adjacent concrete path, including the same width and the same material. This work shall be in accordance with the project specifications (including all state specifications that apply), per WisDOT Standard Specifications for Highway and Structure Construction Section 602 Concrete Sidewalks, project plans, and as hereinafter provided.

B. Materials: Materials placed shall conform to WisDOT Standard Specifications for Highway and Structure Construction, Section 602 Concrete Sidewalks.

C. Construction: Construction shall conform to WisDOT Standard Specifications for Highway and Structure Construction, Section 602 Concrete Sidewalks.

D. Method of Measurement: The *Concrete Sidewalk 5-inch* item shall be measured as a square foot (SF) item for work completed and accepted in accordance with the contract.

E. Basis of Payment: The work under this item, measured as provided above, will be paid for at the contract unit price per SF as stated in the below attached table, which price shall be full compensation for all work herein specified and for all labor, materials, and equipment; for furnishing, hauling, preparing, placing, curing, and protecting all materials; for removing and disposing of excavated materials; for preparing the foundation; for backfilling; and for cleanup and incidentals necessary to complete the Work in accordance with the Contract and all specifications that apply.

Item #CCO-2, Geotextile Fabric Type SR

A. Description: This work shall consist of necessary costs associated with the placement of geotextile fabric at the undercut, soft subgrade, locations of the bike path, as requested by the Owner. This work shall be in accordance with the project specifications (including all state specifications that apply), per WisDOT Standard Specifications for Highway and Structure Construction Section 645 Geotextile Fabric, project plans, and as hereinafter provided.

B. Materials: Materials placed shall conform to WisDOT Standard Specifications for Highway and Structure Construction, Section 645 Geotextile Fabric.

Furnish and install Geotextile Fabric Type SR conforming to Section 645 of the standard specifications and conforming to the following properties:

Test	Method	Value ⁽¹⁾
Minimum Tensile Strength	ASTM D 4595	180 lbs/in
Maximum Elongation at Required Strength	ASTM D 4595	15%
Minimum Puncture Strength	ASTM D 4833	70 lbs
Maximum Apparent Opening Size	ASTM D 4751	No. 30
Minimum Permittivity	ASTM D 4491	0.35s ⁻¹

⁽¹⁾ All numerical values represent minimum/maximum average roll values. Average test results from all rolls in a lot must conform to the tabulated values.

C. Construction: Construction shall conform to WisDOT Standard Specifications for Highway and Structure Construction, Section 645 Geotextile Fabric.

D. Method of Measurement: The *Geotextile Fabric Type SR* item shall be measured as a square yard (SY) item for work completed and accepted in accordance with the contract.

E. Basis of Payment: The work under this item, measured as provided above, will be paid for at the contract unit price per SY as stated in the below attached table, which price shall be full compensation for all work herein specified and for all labor, materials, and equipment; for furnishing, hauling, preparing, placing, and protecting all

materials; for preparing the foundation; and for cleanup and incidentals necessary to complete the Work in accordance with the Contract and all specifications that apply.

II. Final Quantity adjustment

Description: This contract change order was added to the project to adjust the contract to match FINAL asbuilt quantities and FINAL contract cost, as requested by the Owner. The spreadsheet below shows the final quantities placed and the final cost of the project, including Contract Change Order *Item #CCO-1, Concrete Sidewalk 5-Inch*, as described above.

The following is a FINAL quantity summary spreadsheet for the items mentioned above:

CITY OF BURLINGTON, WISCONSIN - BALANCE SHEET - FINAL

ECHO LAKE - Bike Path							
Item No.	Item Description	Unit	Asbuilt Qty	Bid Qty	Bid Unit \$	Bid Total \$ w/ Asbuil Qty	% Complete
204.0100	Removing Pavement	SY	21.70	32	\$ 6.00	\$ 130.20	100%
204.0155	Removing Concrete Sidewalk	SY	440.00	440	\$ 9.00	\$ 3,960.00	100%
205.0100	Excavation Common	CY	368.10	260	\$ 15.00	\$ 5,521.50	100%
305.0120	Base Aggregate Dense 1 1/4-Inch	TON	562.24	325	\$ 15.00	\$ 8,433.60	100%
416.0160	Concrete Driveway 6-Inch	SY	30.10	32	\$ 43.00	\$ 1,294.30	100%
465.0105	Asphaltic Surface (12.5 mm)	TON	152.00	165	\$ 72.50	\$ 11,020.00	100%
628.1504	Silt Fence	LF	750.00	900	\$ 1.10	\$ 825.00	100%
628.1520	Silt Fence Maintenance	LF	75.00	200	\$ 0.30	\$ 22.50	100%
628.7015	Inlet Protection Type C	EACH	2.00	3	\$ 50.00	\$ 100.00	100%
690.0150	Sawing Asphalt	LF	11.00	20	\$ 15.00	\$ 165.00	100%
SPV.0090.01	Erosion Eel	LF	20.00	20	\$ 15.00	\$ 300.00	100%
SPV.0105.01	Traffic Control (Echo Lake)	LS	1.00	1	\$ 500.00	\$ 500.00	100%
SPV.0180.01	Restore Disturbed Areas - Includes Topsoil (625.0100), Mulching (627.0200), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	278.40	100	\$ 4.25	\$ 1,183.20	100%
SPV.0180.02	Restore Disturbed Areas with E-Mat - Includes Topsoil (625.0100), Erosion Mat Urban Class 1 Type A (628.2006), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	696.40	760	\$ 5.25	\$ 3,656.10	100%
SUBTOTAL - Echo Lake Bike Path					\$ 37,111.40		100%
2012 SIDEWALK IMPROVEMENTS							
Item No.	Item Description	Unit	Asbuilt Qty	Bid Qty	Bid Unit \$	Bid Total \$ w/ Asbuil Qty	% Complete

204.0155	Removing Concrete Sidewalk	SY	544.90	431	\$ 9.00	\$ 4,904.10	100%
305.0120	Base Aggregate Dense 1 1/4-Inch (Undistributed)	TON	76.41	30	\$ 15.00	\$ 1,146.15	100%
416.0160	Concrete Driveway 6-Inch	SY	47.40	41	\$ 44.00	\$ 2,085.60	100%
465.0120	Asphaltic Surface Driveways & Field Entrances	TON	2.98	7	\$ 175.00	\$ 521.50	100%
602.0405	Concrete Sidewalk 4-Inch	SF	4456.20	3510	\$ 4.55	\$ 20,275.71	100%
690.0150	Sawing Asphalt	LF	36.50	90	\$ 2.00	\$ 73.00	100%
SPV.0180.01	Restore Disturbed Areas - Includes Topsoil (625.0100), Mulching (627.0200), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	343.20	400	\$ 4.70	\$ 1,613.04	100%
SUBTOTAL - 2012 Sidewalk Improvements						\$ 30,619.10	100%
Randolph Street & Kendall Street Sidewalk/Crosswalk							
Item No.	Item Description	Unit	Asbuilt Qty	Bid Qty	Bid Unit \$	Bid Total \$ w/ Asbuilt Qty	% Complete
204.0150	Removing Curb & Gutter	LF	47.00	54	\$ 3.00	\$ 141.00	100%
204.0155	Removing Concrete Sidewalk	SY	69.10	83	\$ 7.00	\$ 483.70	100%
205.0100	Excavation Common	CY	13.00	15	\$ 15.00	\$ 195.00	100%
305.0120	Base Aggregate Dense 1 1/4-Inch	TON	29.99	30	\$ 15.00	\$ 449.85	100%
460.1101	HMA Pavement Type E-1, Item also includes asphaltic material PG 64-22 (455.0215) and asphaltic material for tack coat (455.0605).	TON	4.50	6	\$ 175.00	\$ 787.50	100%
601.0411	Concrete Curb & Gutter 30-Inch Type D	LF	47.00	54	\$ 30.00	\$ 1,410.00	100%
601.0600	Concrete Curb Pedestrian	LF	25.00	35	\$ 18.00	\$ 450.00	100%
602.0405	Concrete Sidewalk 4-Inch	SF	726.40	870	\$ 4.55	\$ 3,305.12	100%
602.0505	Curb Ramp Detectable Warning Field Yellow	SF	32.00	32	\$ 7.82	\$ 250.24	100%
690.0150	Sawing Asphalt	LF	65.50	106	\$ 1.00	\$ 65.50	100%
SPV.0105.02	Traffic Control (Randolph & Kendall Streets)	LS	1.00	1	\$ 400.00	\$ 400.00	100%
SPV.0180.01	Restore Disturbed Areas - Includes Topsoil (625.0100), Mulching (627.0200), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	24.70	90	\$ 5.00	\$ 123.50	100%
SUBTOTAL - Randolph & Kendall Street Sidewalk						\$ 8,061.41	100%

CHESTNUT ST/BIENEMAN RD STORM SEWER REPAIR							
Item No.	Item Description	Unit	Asbuilt Qty	Bid Qty	Bid Unit \$	Bid Total \$ w/ Asbuilt Qty	% Complete
204.0150	Removing Curb & Gutter	LF	43.80	40	\$ 10.00	\$ 438.00	100%
205.0100	Excavation Common	CY	1.20	3	\$ 25.00	\$ 30.00	100%
305.0120	Base Aggregate Dense 1 1/4-Inch	TON	0.00	4	\$ 15.00	\$ -	100%
416.1010	Concrete Surface Drains	CY	0.00	1	\$ 500.00	\$ -	100%
460.1101	HMA Pavement Type E-1, Item also includes asphaltic material PG 64-22 (455.0215) and asphaltic material for tack coat (455.0605).	TON	1.50	6	\$ 175.00	\$ 262.50	100%
601.0411	Concrete Curb & Gutter 30-Inch Type D	LF	43.80	40	\$ 30.00	\$ 1,314.00	100%
628.1504	Silt Fence	LF	0.00	50	\$ 2.00	\$ -	100%
690.0150	Sawing Asphalt	LF	47.80	54	\$ 2.00	\$ 95.60	100%
SPV.0025.01	Concrete Patch Abutment Wall	CF	3.00	3	\$ 133.33	\$ 399.99	100%
SPV.0060.03	Repair 6" Storm Pipe/Tee in Abutment Wall	EACH	1.00	1	\$ 600.00	\$ 600.00	100%
SPV.0060.04	Abandon Inlet & 12" Storm Pipe - Plug Pipe, Slurry Backfill	EACH	0.00	1	\$ 350.00	\$ -	100%
SPV.0105.03	Traffic Control (Chestnut/Bieneman)	LS	1.00	1	\$ 300.00	\$ 300.00	100%
SPV.0180.02	Restore Disturbed Areas with E-Mat - Includes Topsoil (625.0100), Erosion Mat Urban Class 1 Type A (628.2006), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	5.20	54	\$ 5.40	\$ 28.08	100%
SPV.0195.01	Field Stone Extra-Heavy Riprap	TON	0.00	10	\$ 70.00	\$ -	100%
SUBTOTAL - Chestnut/Bieneman Storm Repair					\$ 3,468.17		100%
STATE ST/ELMWOOD AVE CROSSWALK							
Item No.	Item Description	Unit	Asbuilt Qty	Bid Qty	Bid Unit \$	Bid Total \$ w/ Asbuilt Qty	% Complete
204.0150	Removing Curb & Gutter	LF	158.70	140	\$ 10.00	\$ 1,587.00	100%
204.0155	Removing Concrete Sidewalk	SY	74.40	70	\$ 9.00	\$ 669.60	100%
205.0100	Excavation Common	CY	13.20	20	\$ 15.00	\$ 198.00	100%
305.0120	Base Aggregate Dense 1 1/4-Inch	TON	15.94	10	\$ 15.00	\$ 239.10	100%
460.1101	HMA Pavement Type E-1, Item also includes asphaltic material PG 64-22 (455.0215)	TON	6.00	12	\$ 175.00	\$ 1,050.00	100%

	and asphaltic material for tack coat (455.0605).						
601.0411	Concrete Curb & Gutter 30-Inch Type D	LF	158.70	140	\$ 25.00	\$ 3,967.50	100%
601.0600	Concrete Curb Pedestrian	LF	108.10	100	\$ 5.55	\$ 599.96	100%
602.0405	Concrete Sidewalk 4-Inch	SF	832.80	630	\$ 4.55	\$ 3,789.24	100%
602.0505	Curb Ramp Detectable Warning Field Yellow	SF	64.00	64	\$ 5.00	\$ 320.00	100%
646.0600	Removing Pavement Markings	LF	790.00	740	\$ 1.40	\$ 1,106.00	100%
647.0526	Pavement Marking Yield Line Epoxy 18-Inch	EACH	21.00	22	\$ 27.00	\$ 567.00	100%
647.0566	Pavement Marking Stop Line Epoxy 18-Inch	LF	34.00	35	\$ 8.00	\$ 272.00	100%
647.0766	Pavement Marking Crosswalk Epoxy 6-Inch	LF	175.00	160	\$ 5.20	\$ 910.00	100%
647.0796	Pavement Marking Crosswalk Epoxy 24-Inch	LF	143.00	140	\$ 7.50	\$ 1,072.50	100%
690.0150	Sawing Asphalt	LF	165.70	190	\$ 2.00	\$ 331.40	100%
SPV.0060.01	Pedestrian Activated Flashing LED Sign Unit including Steel Pole & In-ground Pole Support	EACH	4.00	4	\$ 3,702.48	\$ 14,809.92	100%
SPV.0060.02	Relocate Sign, Sign Pole, & Pole Support	EACH	1.00	2	\$ 250.00	\$ 250.00	100%
SPV.0105.04	Traffic Control (State Street)	LS	1.00	1	\$ 500.00	\$ 500.00	100%
SPV.0180.01	Restore Disturbed Areas - Includes Topsoil (625.0100), Mulching (627.0200), Fertilizer Type A (629.0205), Seeding Mix No. 40 (630.0140).	SY	27.50	60	\$ 5.25	\$ 144.38	100%
SUBTOTAL - State St/Elmwood Ave Crosswalk						\$ 32,383.59	100%

SUBTOTAL - BASE BID **\$ 111,643.67** 100%

Change Order #1 - Echo Park Bike Path work							
Item No.	Item Description	Unit	Asbuilt Qty	CCO Qty	Bid Unit \$	Bid Total \$ w/ Asbuilt Qty	% Complete
CCO-1	Concrete Sidewalk 5-inch	SF	860.00	860	\$ 3.62	\$ 3,113.20	100%
CCO-2	Geotextile Fabric Type SR	SY	184.7	184.7	\$ 4.50	\$ 831.15	100%
SUBTOTAL - CCO #1						\$ 3,944.35	100%

TOTAL - Base Bid & CCO #1 **\$ 115,588.02** 100%



CITY OF BURLINGTON

Fire Department

165 W. Washington Street, Burlington, WI, 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

Common Council Item Number: 13C

Date: August 7, 2012

Submitted By: Fire Chief Richard Lodle

Subject: Resolution 4569(20) to consider approving bylaws for the Burlington Fire Department.

Details:

Society has encouraged volunteerism at a much earlier age in recent years. The same is also true in the volunteer fire service. Locally, Gateway Technical College now offers the State of Wisconsin Certified Firefighter I curriculum and examination to area high school seniors as part of the Youth Options program. Our department membership discussed reducing the minimum age requirements almost a year ago. To that extent, a committee was appointed to revise the bylaws for the department. I researched the minimum age requirements for volunteer departments in Racine County. All departments now accept applicants at age 18. Some are even offering explorer programs to youth below that age. The CBFD minimum age requirement for membership is currently 21.

The CBFD bylaw committee recommended a change in Section 2 of the department's bylaws from: *Applications will only be accepted from individuals over twenty-one (21) years of age* to: *Applications will only be accepted from individuals over eighteen (18) years of age*. This change was approved by the department membership at their June 18, 2012, quarterly meeting. To become effective, this bylaw revision must be approved by a resolution of the Common Council.

Some youth of our community are seeking membership in surrounding departments to begin volunteering in the fire service at age 18, rather than waiting until they are 21 to join our department. This change will allow our department to capture their desire to serve in the City of Burlington. Due to the limited amount of driving experience at age 18, a department policy will restrict anyone under the age of 21 from driving any fire department vehicle other than the pickup truck.

The attached resolution adopts this bylaw revision.

Options & Alternatives:

The Council may choose to oppose the revisions and keep the minimum age twenty-one years for volunteers.

Financial Remarks:

This revision should impose no additional financial expenditures beyond the normal budget.

Executive Action:

This item was discussed at the July 17, 2012, Committee of the Whole meeting and is scheduled for the August 7, 2012, Common Council meeting for consideration.

Resolution No. 4569(20)
Introduced by the Committee of the Whole

**A RESOLUTION APPROVING THE REVISION OF THE BYLAWS OF THE CITY OF
BURLINGTON FIRE DEPARTMENT**

WHEREAS, a committee appointed by the Fire Chief has submitted a revision of the Bylaws of the City of Burlington Fire Department; and,

WHEREAS, the volunteer membership of the City of Burlington Fire Department has adopted this revision by a two-thirds vote at their general meeting on June 19, 2012; and,

WHEREAS, the revised Bylaws are on file with the City Clerk of the City of Burlington.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, Racine County, Wisconsin, that these revised Bylaws of the City of Burlington Fire Department shall be and are hereby approved.

Introduced: July 17, 2012
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI 53105
(262) 342-1161 – (262) 342-1178 fax
www.burlington-wi.gov

Common Council Item Number: 13D	Date: August 7, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: Resolution 4570(21) to consider an approving a revised Comprehensive Sign Plan for BMO Harris Bank.

Details:

BMO Harris Bank, formerly M&I Bank submitted plans to modify the Comprehensive Sign Plan under the Planned Unit Development with PBJC, LLC (Kohls/Pick & Save development). The Plan Commission approved these plans on July 10, 2012. Modifications are only to the existing signs reflecting the name change of the bank. No additional signs will be installed.

Options & Alternatives:

The Common Council could reject this request however the signage will need to be changed as the business has changed it's name.

Financial Remarks:

There are no costs to the City associated with this request.

Executive Action:

This item was discussed at the July 17, 2012 Committee of the Whole meeting and is placed on tonight's Common Council meeting for consideration.

**A RESOLUTION APPROVING A COMPREHENSIVE SIGN PACKAGE
FOR BMO HARRIS BANK LOCATED AT 1000 MILWAUKEE AVENUE**

WHEREAS, on December 18, 2007 Resolution 4183(78) approving a Planned Unit Development (PUD) Agreement with PBJC Burlington, LLC was approved by the Common Council; and,

WHEREAS, on September 8, 2009 the Plan Commission approved the Detailed Site Plan and Comprehensive Sign Plan for the 68,604 square foot M&I Bank building located at 1000 Milwaukee Avenue as part of the PUD with PBJC Burlington, LLC; and,

WHEREAS, M&I Bank has changed their name to BMO Harris Bank; and,

WHEREAS, on July 10, 2012 the Plan Commission approved a revised Comprehensive Sign Plan for BMO Harris Bank at 1000 Milwaukee Avenue; and,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the revised Comprehensive Sign Plan for BMO Harris Bank located at 1000 Milwaukee Avenue is hereby approved.

Introduced: July 17, 2012
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Item Number: 14A	Date: August 7, 2012
Submitted By: Patrick Scherrer, Building Inspector and Zoning Administrator	Subject: Ordinance 1954(8) to consider approval of an ordinance to the Common Council to create a section of the code allowing for outdoor seating in the B-1 and B-2 Districts.

Details:

Over the years businesses have approached the City regarding having outdoor seating areas for restaurants and taverns. Currently the Municipal Code does not contain any specific regulations or restrictions for businesses to have outdoor seating sections. It has been common practice by the building inspection department to utilize the code as best as possible to maintain uniformity and safety standards within the City.

The attached ordinance creates a section under the B-1, Neighborhood Business District and the B-2, Central Business District chapters with specific guidelines and regulations pertaining to outdoor seating areas. Both are listed under the Conditional Use section for each district which will require Plan Commission approval.

Options & Alternatives:

The Council may choose to deny this text amendment or suggest revisions.

Financial Remarks: N/A**Executive Action:**

This item was discussed at the July 17, 2012 Committee of the Whole meeting and is scheduled for tonight's Common Council meeting for consideration.

AN ORDINANCE AMENDING SECTION 315-26D "CONDITIONAL USES" IN THE B-1 NEIGHBORHOOD BUSINESS DISTRICT AND 315-27D "CONDITIONAL USES" IN THE B-2 CENTRAL BUSINESS DISTRICT OF CHAPTER 315 "ZONING" OF THE CITY OF BURLINGTON MUNICIPAL CODE TO ALLOW FOR OUTDOOR SEATING WITH CONSUMPTION OF FOOD AND BEVERAGE.

WHEREAS, the City of Burlington has adopted Chapter 315 "Zoning" of the City of Burlington Municipal Code to regulate land uses within the City; and,

WHEREAS, Chapter 315 "Zoning" of the City of Burlington Municipal Code is amended from time to time to adapt to a changing environment, updated technologies, and land use demands including those of commercial business land uses which are integral to the urban fabric of the City; and,

WHEREAS, it is the recommendation of the Plan Commission to amend Section 315-26D "Conditional uses" in the B-1 Neighborhood Business District and 315-27D "Conditional uses" in the B-2 Central Business District of Chapter 315 "Zoning" of the City of Burlington Municipal Code allowing for outdoor seating with consumption of food and beverage in order to address the City of Burlington's need to provide expanded commercial opportunities in the City; and,

WHEREAS, the Common Council has determined that the provision of this amendment is necessary in order to protect the health, safety, and welfare of the public in order to achieve the purpose and intent of Chapter 315 "Zoning" of the City of Burlington Municipal Code as set forth in Sections 315-3 "Purpose" and 315-4 "Intent" of Chapter 315 "Zoning" of the City of Burlington Municipal Code.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington does hereby ordain as follows:

Part I. Section 315-26D. "Conditional Uses" in the B-1 Neighborhood Business District of Chapter 315 "Zoning" of the City of Burlington Municipal Code is hereby amended to include the following:

- (37) Outside seating for establishments serving food or beverage for consumption outside the structure.
 - (a) Plan approval by the Plan Commission.
 - (b) No outside use area is permitted unless the principal commercial business is fully operational and said principal business is housed in a building.
 - (c) Hours of service shall be limited to the business hours or as set by the Plan Commission.
 - (d) No outside use area shall encroach into areas set aside for compliance with other criteria, such as but not limited to: required yard setbacks, sidewalks, building entrances and exits, required motor vehicle off-street parking and drive areas, vision setbacks, landscaping, green space and landscape surface ratio,

storm water detention or retention, pedestrian areas, emergency vehicle lanes and bicycle parking areas and access.

- (e) Designated outside areas shall be screened from all residential zoned properties with a six (6) foot wood composite privacy fence or decorative masonry wall. Areas facing public right-of-ways, public paths or public open space may be designated with decorative fencing and landscaping. No chain link fencing shall be allowed.
- (f) Additional yard setbacks, screening and/or landscape areas may be required by the Plan Commission to prevent adverse impacts on surrounding properties.
- (g) All food, beverage and condiments shall be cleaned from all outside areas before the business closes for the day. Trash receptacles shall be emptied or removed when full or daily. Trash receptacles shall be covered to limit flies and to prevent the wind from spreading the trash.
 - a. The entire outdoor food service area utilized for service and consumption of food and beverages shall be visible from inside the principal commercial business to which it is accessory.
 - b. Any public improvements necessary to accommodate the outdoor food service area shall be approved by the Common Council with recommendation from the Plan Commission and the costs for any such public improvement thereof shall be paid by the applicant.
 - c. Service of food and alcoholic beverages in all outdoor food service area shall be limited to persons seated at tables in said outdoor food service area. Food service shall be required to be available at all times when the outdoor service area is open.
 - d. The operator of any outdoor food service area shall be responsible for policing the area of the outdoor food service area to ensure that alcoholic beverages are not removed from the outdoor food service area.
 - e. All spills, food, litter or any other item on the ground surface area associated with the service or consumption of food and beverages shall be cleaned or removed as soon as possible to minimize slip or fall and/or health hazards in the outdoor food service area.

Section 315-27D. "Conditional Uses" in the B-2 Central Business District of Chapter 315 "Zoning" of the City of Burlington Municipal Code is hereby amended to include the following:

- (31) Outside seating for establishments serving food or beverage for consumption outside the structure.
 - (a) Plan approval by the Plan Commission.
 - (b) No outside use area is permitted unless the principal commercial business is fully operational and said principal business is housed in a building.
 - (c) Hours of service shall be limited to the business hours or as set by the Plan Commission.

- (d) No outside use area shall encroach into areas set aside for compliance with other criteria, such as but not limited to: required yard setbacks, sidewalks, building entrances and exits, required motor vehicle off-street parking and drive areas, vision setbacks, landscaping, green space and landscape surface ratio, storm water detention or retention, pedestrian areas, emergency vehicle lanes and bicycle parking areas and access.
- (e) Designated outside areas shall be screened from all residential zoned properties with a six (6) foot wood composite privacy fence or decorative masonry wall. Areas facing public right-of-ways, public paths or public open space may be designated with decorative fencing and landscaping. No chain link fencing shall be allowed.
- (f) Additional yard setbacks, screening and/or landscape areas may be required by the Plan Commission to prevent adverse impacts on surrounding properties.
- (g) All food, beverage and condiments shall be cleaned from all outside areas before the business closes for the day. Trash receptacles shall be emptied or removed when full or daily. Trash receptacles shall be covered to limit flies and to prevent the wind from spreading the trash.
 - a. The entire outdoor food service area utilized for service and consumption of food and beverages shall be visible from inside the principal commercial business to which it is accessory.
 - b. Any public improvements necessary to accommodate the outdoor food service area shall be approved by the Common Council with recommendation from the Plan Commission and the costs for any such public improvement thereof shall be paid by the applicant.
 - c. Service of food and alcoholic beverages in all outdoor food service area shall be limited to persons seated at tables in said outdoor food service area. Food service shall be required to be available at all times when the outdoor service area is open.
 - d. The operator of any outdoor food service area shall be responsible for policing the area of the outdoor food service area to ensure that alcoholic beverages are not removed from the outdoor food service area.
 - e. All spills, food, litter or any other item on the ground surface area associated with the service or consumption of food and beverages shall be cleaned or removed as soon as possible to minimize slip or fall and/or health hazards in the outdoor food service area.

Part II. Plan Commission Recommendation. The Plan Commission recommended to the Common Council the adoption of this proposed amendment to Chapter 315 "Zoning" of the City of Burlington Municipal Code at its meeting held on _____, 2012.

Part III. Public Hearing. The Common Council of the City of Burlington held a public hearing on this proposed amendment to Chapter 315 "Zoning" of the City of Burlington Municipal Code pursuant to the requirements of Section 62.23(7) of the Wisconsin Statutes and Article XII of Chapter 315 "Zoning" of the City of Burlington Municipal Code on _____, 2012.

Part V. Common Council Approval. The Common Council of the City of Burlington concurred with the recommendations of the Plan Commission and proceeded to adopt this proposed amendment to Chapter 315 "Zoning" of the City of Burlington Municipal Code at its meeting held on _____, 2012.

Part VI. Severability. If any provision of this Ordinance is found invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of this Ordinance.

Part VII. Effective Date. This Ordinance shall take effect upon passage and adoption by the Common Council and the filing of proof of posting or publication in the Office of the City Clerk. Approved by the Common Council of the City of Burlington this _____ day of June, _____.

Introduced:

Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
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Committee of the Whole Item Number: 5	Date: August 7, 2012
Submitted By: Patrick Scherrer, Building Inspector	Subject: Motion 12-748 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 532 N. Pine Street.

Details:

The Historic Preservation Commission (HPC) recommends approval of a Certificate of Appropriateness Application for the project located at 532 N. Pine Street.

The proposed project consists of:

- The removal of the existing asphalt siding and its replacement with a wood composite, horizontal bevel, type of siding ("Smart Side") located on the rear of the alley-facing, building elevations. The proposed finish color of the paint to be used on the siding, according to the applicant's contractor, "... will be a darker shade of beige."

This Certificate of Appropriateness Application was reviewed and approved at the July 26, 2012 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the owner.

Executive Action:

This item is for discussion at the July 26, 2012 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

